UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/661,589	09/14/2000	Blake Earl Hayward	P3953	9165

24739	7590	11/08/2006

CENTRAL COAST PATENT AGENCY, INC
3 HANGAR WAY SUITE D
WATSONVILLE, CA 95076

EXAMINER
BRUCKART, BENJAMIN R

ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 11/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/661,589	HAYWARD, BLAKE EARL
	Examiner	Art Unit
	Benjamin R. Bruckart	2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>19 October 2006</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>29-38</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>29-38</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

Detailed Action

Claims 29-38 are pending in this Office Action.

No claims are amended.

Claims 1-28 remain cancelled.

Specification

Applicant's amendment to the specification 10/19/06 has been entered.

Oath/Declaration

The new oath and declaration is entered but the status of each of the listed cases is

outdated.

Response to Arguments

Applicant's arguments filed in the amendment filed 10/19/06 have been fully considered

but are not persuasive.

Applicant's invention as claimed:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an

international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 29-38 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,910,020 by Oyama et al.

Regarding claim 29, a system for authenticating a user of network (Oyama: col. 2, lines 21-26), comprising:

a network-connected verification server for performing the authentication (Oyama: col. 4, lines 18-25; bank 1b); and

a network-connected appliance operable by the user for sending a request for authentication (Oyama: col. 3, lines 56-64);

wherein the user specifies at least one network destination site known to the user as capable of accepting the user's username-password pair included in the request for authentication and a username-password pair for the user (Oyama: col. 3, lines 58- col. 4, line 6), and the server, in response to the request causes navigation to the at least one site and attempts a login with the username-password pair, successful login comprising authentication (Oyama: col. 4, lines 7-17).

Regarding claim 30, the system of claim 29, wherein the network is the Internet network (Oyama: col. 3, lines 24-34).

Regarding claim 31, the system of claim 30, wherein the verification server is a first server (Oyama: Fig. 1; tag 1b), and the request is sent from the appliance to a second server on the network (Oyama: Fig. 1, tab 1a), which forwards at least a portion of the request to the first server (Oyama: Fig. 1, tag 2), and the first server returns and indication of verification after causing the navigation and log-in attempt to the site provided by the user (Oyama: Fig. 1, tag 2; col. 4, lines 18-45).

Regarding claim 32, the system of claim 29, wherein all or a portion of the request is compared against stored user profile data for verification purposes (Oyama: col. 4, lines 18-25).

Regarding claim 33, the system of claim 30, wherein the request comprises a plurality of site and username-password pairs for the sites, and authentication is a number based on log-in results (Oyama: col. 4, lines 52-55).

Regarding claim 34, a method for authenticating a user of a network (Oyama: col. 2, lines 21-26), comprising the steps of:

(a) accepting by a server an authentication request from the user comprising at least one network destination site known to the user as capable of accepting the user's username-pair and the username-password pair is included in the authentication request from the user (Oyama: Fig. 1, tab 1a; col. 3, lines 56- col. 4, line 6);

(b) causing, by the server, navigation to the at least one site and a login attempt with the username-password pair (Oyama: Fig. 1, tag 2; col. 4, lines 7-17); and

(c) reporting an indication of authenticity according to success or failure of the login attempt (Oyama: col. 4, lines 7-45).

Regarding claim 35, the method of claim 34, wherein the network is the Internet network (Oyama: col. 3, lines 24-34).

Regarding claim 36, the method of claim 34 wherein the server is a first server (Oyama: Fig. 1; tag 1b), and the request is sent from the appliance to a second server on the network (Oyama: Fig. 1, tab 1a), which forwards at least a portion of the request to the first server (Oyama: Fig. 1, tag 2), and the first server returns and indication of authenticity after causing the navigation and log-in attempt at the site provided by the user (Oyama: Fig. 1, tag 2; col. 4, lines 18-45).

Regarding claim 37, the method of claim 34 wherein all or a portion of the request is compared against stored user profile data for verification purposes (Oyama: col. 4, lines 18-25).

Regarding claim 38, the method of claim 34, wherein the request comprises a plurality of sites and username-password pairs for the sites, and authentication is a number based on log-in results (Oyama: col. 4, lines 52-55).

Remarks

Applicant has submitted an amendment overcoming objections to the specification and oath and declaration. Applicant has presented arguments to the art rejection of Oyama. The examiner confirms the typo of the case number and thanks applicant for responding to Oyama US Patent No. 6,910,020.

The Applicant Argues:

The Oyama reference does not teach the claimed limitations "navigating to the site specified by the user and attempting a login at the site using the username and password provided by the user to gain authentication to the network"

In response, the examiner respectfully submits:

The Oyama reference does teach the claimed limitation. Oyama does authenticate the identity of a user included in request by confirming account information. Oyama col. 3, lines 65-col. 4, line 6 illustrates a user inputting a destination site (cooperative bank identification code) with an account number and password. Col. 4, lines 7-17 illustrate the act of confirming and authenticating the request with the information from the user. Col. 8, lines 45-55 further details the act of "attempting to login" with the user provided username-password pair. The cooperative bank keeps track of password errors for security purposes as well (col. 9, lines 1-10).

Oyama can be interpreted as causing navigation to occur to the second bank to confirm account information by attempting a login. The examiner encourages applicant to provide more details about how the navigation is performed. The examiner also believes that applicant could distinguish the invention from the plethora of prior art by describing any data sent back upon successful verification.

Prior Art

U.S. Patent No 6,065,120 issued to Laursen et al teaches navigation to a destination specified by a user with a username and password pair.

U.S. Patent Publication 2001/0020242 issued to Gupta et al teaches a proxy for using password and username information to prevent access as a third party device.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R. Bruckart whose telephone number is (571) 272-3982. The examiner can normally be reached on 8:00-5:30PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Benjamin R Bruckart
Examiner
Art Unit 2155

/SALEH NAJJAR
SUPERVISORY PATENT EXAMINER